



PUBLIC NOTICE

Federal Communications Commission
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DA 10-873

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MEDIA BUREAU ACTION
EXPEDITED COMMENT DATES ESTABLISHED FOR REQUESTS FOR WAIVER OF
CERTAIN TV TUNER REQUIREMENTS IN ORDER TO IMPORT AND DISTRIBUTE
MOBILE DTV RECEIVERS WITHOUT ANALOG TUNERS
MB Docket No. 10-111

Comment Date: June 4, 2010

Reply Comment Date: June 11, 2010

Dell Inc. and LG Electronics USA, Inc., manufacturers and distributors of consumer electronics (“CE”), have filed a petition seeking a limited waiver of Section 15.117 of the Commission’s rules (47 C.F.R. §15.117).¹ Specifically, the petitioners seek a waiver of the rule, on behalf of themselves and any other similarly situated manufacturers, to the extent necessary to manufacture, import, market, and sell mobile television receivers that do not include analog (NTSC) television tuners.² Petitioners limit their waiver request to mobile digital television (DTV) receivers that have an ATSC A/153 compliant tuner, which may or may not contain an ATSC A/53 compliant tuner, and that are primarily powered by batteries and designed for nomadic and transient use.³

Hauppauge Computer Works, Inc., manufacturers of TV tuners and related products, has filed a related petition for waiver that also includes arguments in support of the earlier petition.⁴ Hauppauge seeks a waiver of Section 15.117 in order to manufacture, import, market, distribute, and sell any “television receivers capable of mobile use by consumers” that contain only digital tuners.⁵ We will consider these petitions together.

We seek comment on the waivers requested by Dell, LP, and Hauppauge (collectively, the “CE Petitioners”). Because devices that would be subject to the requested waiver would not be able to

¹ Dell Inc. and LG Electronics USA, Inc. Request for Waiver of Section 15.117 of the Commission’s Rules (filed May 12, 2010).

² *Id.* at 1.

³ *Id.* at 5.

⁴ Hauppauge Computer Works, Inc. Request for Waiver of Section 15.117 of the Commission’s Rules to Permit the Manufacture, Importation, Marketing, Distribution, and Sale of Digital Only Television Receivers for Mobile Devices (filed May 19, 2010).

⁵ *Id.* at 1 and 7.

receive some broadcast television signals, we also seek comment on ways to identify and describe such devices to distinguish them from “televisions” that can receive analog and digital broadcasts. The CE Petitioners intend to offer these devices for sale during the 2010 holiday buying season and therefore need certainty regarding their regulatory requirements no later than mid-Summer.⁶ Recognizing the delays inherent in electronics manufacturing and distribution, and consumer electronics manufacturers need for “sufficient lead time” to develop products for release to market,⁷ we establish a slightly expedited period for comments and a more expedited period for replies, as indicated by the Comment and Reply Dates, above.

This proceeding will be treated as “permit but disclose” for purposes of the Commission’s *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. As a result of the permit-but-disclose status of this proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission’s rules applicable to non-restricted proceedings.⁸

All filings must reference MB Docket No. 10-111. Comments sent via e-mail to the Commission will be considered informal and will not be part of the official record. Comments may be filed using: (1) the Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies.⁹

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal service mailing address, and the applicable docket number: MB Docket No. 10-111. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message: “get form”. A sample form and instructions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission’s Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.
 - The Commission’s contractor will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

⁶ *Id.* at 7.

⁷ *Id.*

⁸ 47 C.F.R. § 1.1206.

⁹ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322, 11326, ¶ 8 (1998).

- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

One copy of each filing must be sent to Lyle Elder, Media Bureau, Room 4-A729, 445 12th Street, S.W., Washington, D.C. 20554 or lyle.elder@fcc.gov.

Filings are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th St., S.W., Room CY-A257, Washington, DC 20554, telephone (202) 418-0270. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th St., S.W., Room CY-B402, Washington, DC, 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via email at fcc@bcpiweb.com.

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For further information, contact Lyle Elder, (202) 418-2120 or Lyle.Elder@fcc.gov. Press inquiries should be directed to Janice Wise, (202) 418-8165 or Janice.Wise@fcc.gov.

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